

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6104
Montagano for Congress, Inc. and)
Joseph A. Montagano, in his official)
capacity as treasurer; Michael)
Montagano; Joseph Montagano)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on May 12, 2009, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MUR 6104:

1. Dismiss the allegations that Joseph Montagano, Michael Montagano, Montagano for Congress, Inc. and Joseph Montagano, in his official capacity as treasurer, violated the Act in connection with the alleged excessive contributions and reporting violations in this matter.
2. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated April 24, 2009, subject to revisions of the Factual and Legal Analysis at Attachment 1, as circulated and amended at the table, and subject to any technical and conforming amendments to be applied to both Factual and Legal Analyses (at Attachment 1 and Attachment 2) applicable in this matter.
3. Approve the appropriate letters cautioning Respondents.
4. Close the file.

Commissioners Bauerly, Hunter, Petersen, and Walther voted affirmatively for the decision. Commissioners McGahn II and Weintraub recused themselves with respect to MUR 6104 and did not vote.

Attest:

May 14, 2009
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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